

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
TUESDAY, AUGUST 21, 2007

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MI 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR
MICHAEL D. KOEHS, CLERK
MARIE MALBURG, TREASURER
DINO F. BUCCI, JR, TRUSTEE
JANET DUNN, TRUSTEE
ROGER KRZEMINSKI, TRUSTEE
NANCY NEVERS, TRUSTEE

ABSENT: NONE

ALSO PRESENT: Lawrence Dloski, Legal Counsel
Jerome Schmeiser, Planning Consultant
James VanTiflin, Engineering Consultant
(Additional attendance on file at the Clerk's Office)

Supervisor BRENNAN called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

ROLL CALL

1. Clerk KOEHS called the roll and the Board of Trustees was present.

APPROVAL OF THE AGENDA

2. The agenda was reviewed and items 5A7, 5A8, 9A, 13A and 18 were added.

MOTION by DUNN seconded by BUCCI to approve the agenda as amended.

MOTION carried.

APPROVAL OF THE BILLS

3. Both bill runs were reviewed and there were no additions, deletions or corrections.

MOTION by NEVERS seconded by KRZEMINSKI to approve both bill runs as presented.

MOTION carried.

APPROVAL OF THE PREVIOUS MEETING MINUTES

4. The minutes of the previous meeting held on August 8, 2007 were reviewed and any additions, corrections or deletions were discussed and made.

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MOTION by BUCCI seconded by MALBURG to approve the minutes of the meeting of August 8, 2007 as presented.

MOTION carried.

5. **Consent Agenda Items:**

A. Clerk's Department:

1. **Request for Ground Sign Bond Return;** Summerfield Estates, Section 27; Parcel Number 08-27-306-006.
2. **Request for Monument Sign Bond Return;** MRH Office Complex, south of 22 Mile road on the west side of Romeo Plank Road; Parcel Number 08-29-226-022.
3. **Request for Wall Sign Bond Return;** Village Taverna at Waldenburg Plaza, Parcel Number 08-28-101-010.
4. **Request for Ground Sign Bond Return;** Summerfield Estates Subdivision, Section 27, Parcel Numbers 08-27-3001-006 and 08-27-306-001.
5. **Request for Landscape Bond Return;** Portofino Villas Subdivision; Parcel Number 08-15-426-004.
6. **Request for Model Permit;** Clearstone Subdivision, Lot Number 59, 56882 Clearstone Drive.
7. **Request for Sidewalk Bond Return;** Legacy Farms Subdivision, Section 24; Parcel No. 08-24-401-004.
8. **Request for Landscape Bond Return;** Legacy Farms Subdivision, Section 24; Parcel No. 08-24-401-004.

B. Water/Sewer Dept.

1. **Request to Approve Stormceptor Maintenance Agreement;** Garfield 59 Retail Works Plaza; SDA Number MA07-107.
2. **Easement Encroachment:** Leon E. and Deborah Briest, 45711 Goodwill Lane, Macomb, MI, 48044. Lot 109, The Bluffs of Beaufait Farms Subdivision No. 2.

C. Fire Department:

1. **Request to Terminate Leave of Absence.**

Supervisor BRENNAN reviewed this matter and asked if any of the Board members wanted to remove any item from the Consent Agenda and place it for discussion on the regular agenda.

MOTION by KRZEMINSKI seconded by NEVERS to approve the Consent Agenda as presented.

MOTION carried.

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6. **Public Comments**

Mr. Andrew Orlando informed the Board that himself and his neighbors were very concerned with the speed limit on Tilch Road between Hall Road and 21 Mile road, and he would like Township help in lowering the speed limit. Supervisor BRENNAN advised him that he would contact the RCMC on behalf of the residents and pass along their concerns in writing.

Ms. Terry Campion addressed the Board regarding the traffic congestion developing around her neighborhood because of the increase in traffic due to the opening of the new Sequoyah Elementary School. Supervisor BRENNAN indicated that he would contact the Chippewa Valley Schools and the RCMC and relay her concerns as well.

Ms. Grace Caporuscio inquired if the Township has any knowledge of any new retention basins planned for construction near the Iroquois Middle School. Supervisor BRENNAN asked the Planner and the Engineer who were present to comment on this question, and they indicated that they were not aware of any plans in the review process.

PLANNING

7.  **Extension of Final Plan; Stillwater Crossing;** Located on the south side of 24 Mile Road, west of Fairchild Road; Section 13; Elro Corp. - Petitioner. Permanent Parcel No. 08-13-200-028.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this matter and reminded the petitioner that a condition of extension would be to bring the site into compliance with all recent ordinance amendments that affect the site, specifically the lot radius amendment. He further stated his recommendation for approval.

Mr. Harry Trebrugen, representing the petitioner, was present to answer any questions the Board might have. He also stated that he was aware of the compliance issue and was willing to do so.

MOTION by KRZEMINSKI seconded by DUNN to grant the extension for the Final Plan; Stillwater Crossing; Located on the south side of 24 Mile Road, west of Fairchild Road; Section 13; Permanent Parcel No. 08-13-200-028 to August 9, 2008.

MOTION carried.

FIRE DEPARTMENT

8. Request to Purchase Fire Prevention Materials.

Chief Robert Phillips, reviewed this matter and stated his recommendation to award this project to Colorfully Yours, Inc. in the amount of six thousand one hundred fifty dollars (\$6,150.00).

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MOTION by DUNN seconded by KOEHS to approve the Purchase of Fire Prevention Materials from Colorfully Yours, Inc. for the amount of six thousand one hundred fifty dollars (\$6,150.00).

MOTION carried.

9. Request to Hire Paid on Call Fire Fighters.

Chief Robert Phillips reviewed this matter and the hiring process and further stated his recommendation for approval to hire Lon Gmerek, Vincent Pozzuoli and Frank Ventimiglia as Paid on Call Fire Fighters.

MOTION by BUCCI seconded by KOEHS to approve the hiring of Lon Gmerek, Vincent Pozzuoli and Frank Ventimiglia as Paid on Call Fire Fighters.

MOTION carried.

- 9a. Request to rebid the repairs for the apparatus bay floor at Fire Station Number Four.

Chief Robert Phillips reviewed this matter and stated that they were having difficulty getting the current contractor to complete the work and wanted approval to initiate the rebidding process.

MOTION by KRZEMINSKI seconded by MALBURG to authorize the Fire Chief to initiate the rebidding process for repairs to the apparatus bay floor at Station Four.

WATER AND SEWER DEPARTMENT

10. **Engineers Payment Certificate No. 1, 21 Mile Road & Fairchild Road Water Meter & PRV Phase II MA01-024, 24 Mile Road & Romeo Plank Road PRV Replacement MA06-017, & 24 Mile Road & Card Road PRV Replacement MA06-018, L. D'Agostini and Sons, Inc.**

Mr. David Koss, Water & Sewer Superintendent, reviewed this matter and stated his recommendation for approval.

MOTION by BUCCI seconded by DUNN to approve the Engineers Payment Certificate No. 1, 21 Mile Road & Fairchild Road Water Meter & PRV Phase II MA01-024, 24 Mile Road & Romeo Plank Road PRV Replacement MA06-017, & 24 Mile Road & Card Road PRV Replacement MA06-018.

MOTION carried.

11. Request for Temporary Concrete Batch Plant, Florence Cement Company.

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Mr. David Koss, Water & Sewer Superintendent, reviewed this matter and stated his recommendation for approval.

MOTION by KOEHS seconded by MALBURG to approve the Temporary Cement Batch Plant for a period of thirty days, from September 1, 2007 through September 30, 2007.

MOTION carried.

12. Purchase Orders

Mr. David Koss, Water & Sewer Superintendent, reviewed these matters and stated his recommendation for approval.

a. Asphalt Unlimited, Inc.

MOTION by BUCCI seconded by DUNN to approve the Purchase Order for Asphalt Unlimited in the amount of four thousand seven hundred seventy five dollars (\$4,775.00).

MOTION carried.

b. SLC Meter Service, Inc.

MOTION by KOEHS seconded by MALBURG to approve the Purchase Order for SLC Meter Services, Inc. in the amount of seventy seven thousand two hundred ninety five dollars (\$77,295.00).

MOTION carried.

BOARD COMMENTS

13. Supervisor Comments:

a. **Request authorization to proceed with the emergency procedures to repair the Retention/Detention Basin pumps at Buckingham Village, Phases I and II.**

Supervisor BRENNAN, Engineer James VanTiflin and Attorney Lawrence Dloski reviewed this matter and stressed that the following reasons caused the emergency repair request; recent heavy rains have filled the retention/detention basins, both of the pumps are broken and inoperable. With the pumps not operating properly, there is a high probability that flooding of streets and houses will occur if not corrected. The cost for this will be spread over the Special Assessment District.

MOTION by DUNN seconded by KRZEMINSKI to approve the authorization to proceed with the emergency procedures to repair the Retention/Detention

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Basin pumps at Buckingham Village, Phases I and II and spread the cost over the Special Assessment District.

MOTION carried.

- 14. Clerk Comments: None
- 15. Treasurer Comments: None
- 16. Trustees Comments: None

MOTION by KOEHS seconded by MALBURG to retire to Executive Session at 7:40 p.m.

MOTION carried

EXECUTIVE SESSION

- 17. Township of Macomb vs. Mark A. Goetsch

MOTION by KOEHS seconded by NEVERS to accept the Case Evaluation Offer as presented.

MOTION carried.

- 18. Michigan Tax Tribunal, Detroit Edison Company, Docket Numbers 261772, 261773, 261774, 261775.

MOTION by KOEHS seconded by DUNN to accept the settlement offer and authorize the Supervisor, treasurer and Attorney to sign the settlements for Michigan Tax Tribunal, Detroit Edison Company, Docket Numbers 261772, 261773, 261774, 261775.

MOTION carried.

ADJOURNMENT

MOTION by BUCCI seconded by KOEHS to adjourn the Board meeting at 7:48 p.m.

MOTION carried.

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Respectfully submitted,

John D. Brennan
Macomb Township Supervisor

Michael D. Koehs, CMC
Macomb Township Clerk